

## REMARKS

Claims 1-15 are pending in this application. Claims 3 and 8-15 have been amended. No new matter has been added.

In view of the foregoing amendments and following remarks, Applicants respectfully request the Examiner to reconsider and withdraw all outstanding grounds of rejection. Applicants respectfully request allowance of the application.

With respect to the claim amendments, claim 3 has been amended to correct the dependency as suggested by the Examiner. Claims 8 and 9 have been amended to correct a spelling mistake. Finally, claims 10-15 have been amended to delete unnecessary claim language.

The Office Action objects to the drawings because the cross-sectional views of the drawings are not showing the appropriate cross-hatching lines for different materials. Applicants respectfully submit that the drawings filed with the present application contain the appropriate cross-hatching required by the Patent Office. Therefore, Applicants respectfully submit that this objection to the drawings be withdrawn. In the event the Patent Office maintains this objection, Applicants request that the Patent Office please identify which elements in the drawings require cross-hatching.

The abstract of the disclosure is objected to because the term "ABSTRACT" is misspelled. This spelling error has been corrected. Applicants respectfully submit that this objection to the specification has been overcome.

The Office Action rejects claim 6 under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement. Specifically, the Office Action states that "[c]laim 6 recites that the supporting device has a Y shape, but the present specification does not describe the Y shape of the supporting device." Applicants traverse this rejection. The MPEP states that "[i]n considering whether there is 35 U.S.C. 112, first paragraph support for the claim limitation, the examiner must consider not only the original disclosure contained in the summary and detailed description of the invention portions of the specification, but also the original claims, abstract, and drawings." MPEP § 2181. "Original claims form part of the original disclosure and provide their own written description." See *In re Anderson*, 471 F.2d 1237 (CCPA 1973). Since claim 6 is an original claim and at least Figures 1 and 2 show a supporting device having a "Y shape," Applicants respectfully submit that claim 6 meets the

requirements of 35 U.S.C. § 112, first paragraph. Therefore, Applicants respectfully request that this rejection with respect to claim 6 be withdrawn.

Applicants have amended the specification at the paragraph beginning at page 3, line 32 to include the description of the supporting device having a “Y shape.” This amendment is supported by claim 6 and at least Figures 1 and 2.

The Office Action rejects claims 3 and 4 under 35 U.S.C. § 112, second paragraph. As suggested by the Examiner, claim 3 has been amended to depend from claim 2, and thus claims 3 and 4 are now in compliance with 35 USC § 112, second paragraph. Therefore, Applicants respectfully submit that the § 112 rejection with respect to claims 3 and 4 has been overcome and request that this rejection be withdrawn.

Claims 1-15 stand rejected under 35 USC § 103(a) as being unpatentable over Deeney, U.S. Patent Application Publication 2003/0095392 (hereinafter *Deeney*) in view of Bright, U.S. Patent No. 5,833,472 (hereinafter Bright).

Since *Deeney* was published less than one (1) year prior to filing of the present application, *Deeney* is treated as a 35 USC § 102(a)/35 USC § 103 prior art reference. Therefore, *Deeney*'s effective date is May 22, 2003 (the date of publication).

Applicants submit herewith Declarations of the inventors under 37 CFR § 1.131 stating that prior to *Deeney*'s effective date, May 22, 2003, Applicants jointly conceived of the claimed invention and constructively reduced it to practice thereafter with due diligence.

The attached declarations describe in detail the conception of the present invention prior to May 22, 2003 and due diligence to the reduction of practice from prior to said date to the filing of the present application of December 3, 2003. Therefore, the inventors conceived of the claimed invention prior to the effective date of *Deeney* (May 22, 2003) and diligently constructively reduced the invention to practice from before the effective date of *Deeney* until the filing date of the present application. Consequently, *Deeney* is not an effective reference under 35 USC § 102(a)/35 USC § 103.

If the Patent Office agrees that based on the above and attached Declarations, that *Deeney* is not an effective reference under 35 USC § 102(a)/35 USC § 103, Applicants respectfully note that *Deeney* is not an effective reference under 35 USC § 102(e)/35 USC § 103. As stated in 35 USC § 103(c), “[s]ubject matter developed by another person, which qualifies as prior art only under one or more of subsections (e), (f), and (g) of section 102 of this title, shall not preclude patentability under this section where the subject matter and the

claimed invention were, at the time the invention was made, owned by the same person or subject to an obligation of assignment to the same person.”

It is submitted that the subject matter of the *Deeney* reference and the claimed invention, at the time the invention was made, were subject to an obligation of assignment to the Hewlett-Packard Company of Palo Alto, CA.

Therefore, Applicants respectfully submit that *Deeney* is not an effective reference under 35 USC § 102(a)/35 USC § 103 or under 35 USC § 102(e)/35 USC § 103. Consequently, Applicants respectfully submit that claims 1-15 are allowable over the applied references.

### CONCLUSION

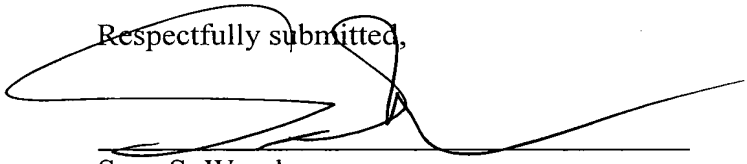
In view of the above amendments and remarks, Applicants believe that the rejection against this application has been fully addressed and that the application is now in condition for allowance. Therefore, withdrawal of the rejection and a notice of allowance for the application is respectfully requested.

It is believed that no extensions of time or fees are required, beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 C.F.R. § 1.136(a), and any fees required (including fees for net addition of claims) are hereby authorized to be charged to Hewlett-Packard Development Company's deposit account no. 08-2025.

If the Examiner believes that a personal or telephonic interview would be of value in expediting the prosecution of this application, the Examiner is hereby invited to telephone the undersigned counsel to arrange for such a conference.

Respectfully submitted,

Date: **September 16, 2004**



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Attachment: Declarations of Stephen D.  
Cromwell and Xiang Dia under 37 CFR § 1.131